

The Honorable Thomas S. Zilly
Noted for: July 26, 2019
Without Oral Argument

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ESTATE OF WANGSHENG LENG, by
and through administrator, LIPING YANG,

Plaintiffs,

v.

THE CITY OF ISSAQUAH, ISSAQUAH
POLICE OFFICER M. LUCHT #1201, and
ISSAQUAH POLICE OFFICER KYLEN
WHITTOM, #1210,

Defendants.

No. 2:19-cv-00490-TSZ

DECLARATION OF SHANNON M.
RAGONESI

I, SHANNON M. RAGONESI, declare as follows:

1. I am one of the attorneys representing the Defendants in this lawsuit. I make this declaration based upon my own personal knowledge, upon facts which are admissible in evidence. I am competent to testify to the matters set forth in this declaration.

2. I did not confer with Plaintiff's counsel telephonically prior to Plaintiff filing its Motion to Quash. Given our lengthy e-mail exchanges, it is unlikely the parties would have agreed on this issue, and thus a teleconference would likely have been futile.

3. The following exhibits are cited or relied upon in Defendants' Opposition to Plaintiff's Motion to Quash:

1 A. Attached as **Exhibit A** is a true and correct copy of a June 10, 2019 notice
2 Defendants provided to Plaintiff regarding their intent to issue subpoenas duces tecum to
3 Mr. Leng's healthcare providers.

4 B. Attached as **Exhibit B** are true and correct copies of subpoenas duces tecum
5 issued to Mr. Leng's healthcare providers.

6 C. Attached as **Exhibit C** are true and correct copies of cover letters that
7 accompanied the subpoenas duces tecum issued to Mr. Leng's healthcare providers.

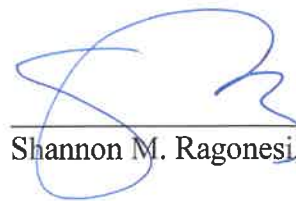
8 D. Attached as **Exhibit D** is a true and correct copy of the redacted Autopsy
9 Report dated October 22, 2018.

10 4. I conferred with Plaintiff's counsel, David Owens, on July 18th, 19th and 22nd
11 regarding whether the one page of the autopsy report should be filed under seal pursuant to
12 the entered protective order. Mr. Owens responded that Plaintiff believed it was a
13 confidential medical record and should not be made public at this time. A true and accurate
14 copy of the discussion between the parties is attached as **Exhibit D** to this declaration.
15 Redaction of the record would not be sufficient as essentially the entire page would need to
16 be redacted, and it is the medical diagnoses which are relevant to the opposition to the
17 motion to quash.

18 5. Defendants anticipate Plaintiff intends to this page of the autopsy report as
19 evidence to support its civil rights and wrongful death case at trial. This is supported by the
20 fact that Plaintiff listed it as a document it may use to prove its case at trial in its initial
21 disclosures to Defendants.

22 I declare under penalty of perjury under the laws of the State of Washington that the
23 foregoing is true and correct to the best of my knowledge.
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DATED this 22nd day of July, 2019, at Seattle, Washington.



Shannon M. Ragonesi WSBA #31951

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiffs

David B. Owens, WSBA #53856
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and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

N/A

DATED: July 22, 2019


Christine Jensen Linder, Legal Assistant
Email: clinder@kbmlawyers.com